

Article 13 | Additional Requirements for Subdivisions

Sec. 13.1 Preservation of Significant Features

Subdivision design shall be sensitive to the protection and preservation of existing site features, natural and man-made. To the maximum extent possible, subdivisions shall be designed to preserve structures and sites of historic or cultural significance, small family cemeteries, and to protect habitats of rare or unusual plants or wildlife as documented in the established Durham Inventory, the State Natural Heritage Listing, or the National Register of Historic Places.

Sec. 13.2 Consistency with Public Plans and Policies

Subdivision of land shall be consistent with adopted public plans and policies for the area in which it is located. This includes general policy regarding development objectives for the area as reflected in the Comprehensive Plan, as well as specific policy or plans for public facilities such as streets and thoroughfares, parks and open space, schools, and other similar facilities.

Sec. 13.3 Naming of Subdivisions

The name of a subdivision shall not duplicate nor closely approximate the name of an existing subdivision within the City or County.

Sec. 13.4 Block Standards

- 13.4.1** Blocks shall have sufficient width to provide for two tiers of lots, except where single tier lots are required to separate residential development from arterial traffic, to separate lots from an incompatible use, to accommodate a requirement for single-loaded streets, to allow for unusual topographic conditions or when adjacent to the outer perimeter of the subdivision.
- 13.4.2** Subdivision of property greater than two contiguous acres in size within Design Districts shall meet the following block standards:
- A.** Any two adjacent block sides shall not exceed a total of 800 feet in length;
 - B.** Each block shall be a minimum of one acre and a maximum of 3.5 acres in size, except that a block that is greater than 3.5 acres but less than 5 acres in size shall be allowed if a pedestrian mall under paragraph 6.12.2E.1, Pedestrian Mall Standards, or a publicly accessible alley is provided in lieu of right-of-way to create de facto blocks that meet the size requirements of this section;
 - C.** Any new right-of-way shall continue or connect the existing street grid, unless the resulting block sizes would not meet the standards of this section;
 - D.** New right-of-way shall be a public street unless otherwise allowed by the approving authority;
 - E.** An existing right-of-way shall not be closed without providing an alternate right-of-way that accomplishes the same or similar connectivity.

Sec. 13.5 Lot Standards

13.5.1 Access

- A. Every buildable lot shall abut a public street, a private street, or a driveway allowed for access within a townhouse development or shopping center under paragraph 12.2.2B.2.b above, capable of providing access to a lot.
- B. In the DD District, every buildable lot shall abut a public street or pedestrian mall.

13.5.2 Side Lot Lines

Side lot lines shall intersect rights-of-way between 60 and 90 degrees on a straight street, or from the tangent of a curved street.

13.5.3 Double Frontage

- A. Residential lots that have frontage on two non-intersecting local or collector streets shall be accessed from one street only with treatment such as a berm, walls, or landscaping fronting on the second street to preclude access.
- B. Residential lots adjacent to a major or minor thoroughfare shall have vehicular access from the local street only.
- C. Nonresidential lots with double frontage shall have off-set access points to inhibit cut-through traffic except in the DD District where alternate access points may be allowed as follows:
 - 1. Shall connect at least two public rights-of-way on opposite sides of the block;
 - 2. Shall be a minimum of 16 feet wide; and
 - 3. Shall be clearly visible to pedestrian and vehicular traffic.

13.5.4 Flag Lots

- A. **Dimensions**

The extension, or “pole,” for flag lots shall be a minimum of 20 feet in width.
- B. **Setbacks**

The front setback on any flag lot shall be the equivalent side yard setback established in Sec. 7.1, Housing Types, for the particular housing type proposed for use on the lot.

13.5.5 Existing Structures

The subdivision or resubdivision of a tract or lot shall not be permitted to cause an existing structure proposed for preservation to violate the standards of this Ordinance.

13.5.6 Lot Numbering

All lots shall be numbered consecutively within each block. Lot numbering can be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner. Any lots being resubdivided shall be consecutively numbered beginning with the last available number in the existing block or subdivision.

Sec. 13.6 Street Connectivity Requirements

An interconnected street system is necessary in order to promote orderly and safe development by ensuring that streets function in an interdependent manner, provide adequate access for emergency and service vehicles, enhance access by ensuring connected transportation routes, provide access for people walking and bicycling, and provide continuous and comprehensible traffic routes.

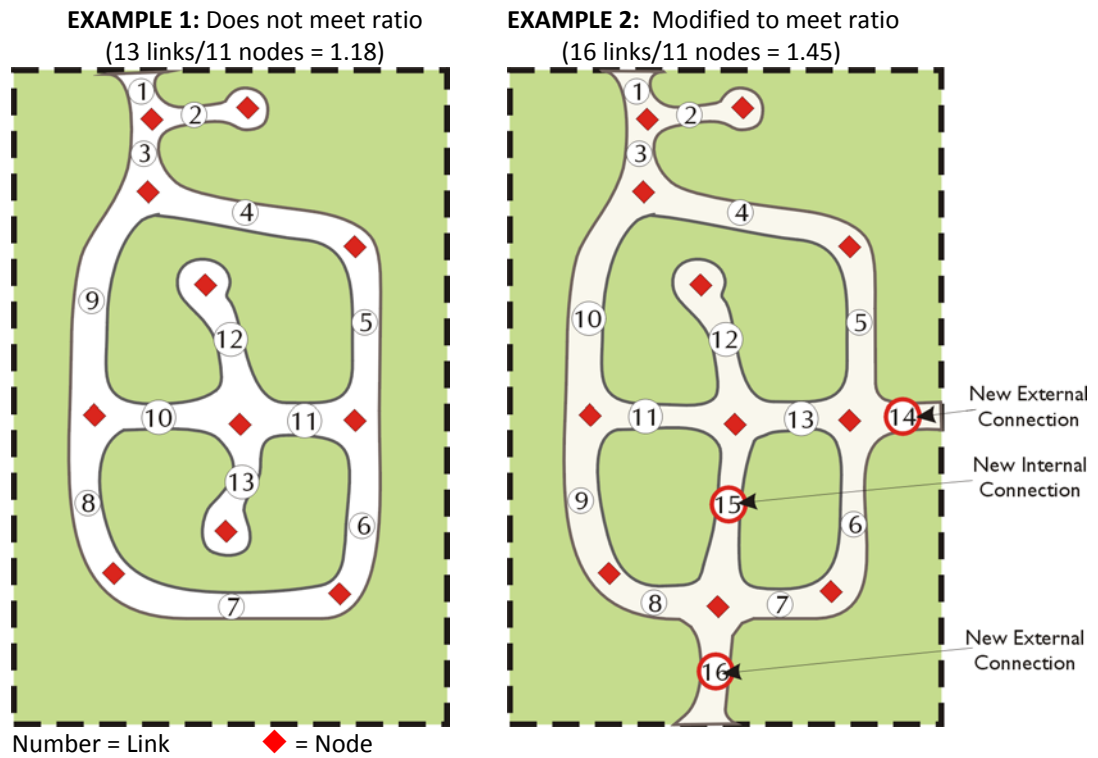
13.6.1 Connectivity Defined

- A.** Except in Design Districts, connectivity shall be defined by the ratio of links to nodes in any subdivision.
 - 1.** The connectivity ratio shall be the number of street links divided by the number of nodes or end links, including cul-de-sac heads.
 - 2.** A link shall be any portion of a street, other than an alley, defined by a node at either end. Stub-outs to adjacent property shall be considered links. For the purpose of determining the number of links in a development, boulevards, median-divided roadways, and divided entrances shall be treated the same as conventional two-way roadways.
 - 3.** A node shall be the terminus of a street or the intersection of two or more streets.
 - a.** Any curve or bend of a street that exceeds 75 degrees shall receive credit as a node. Any curve or bend of a street that does not exceed 75 degrees shall not be considered a node.
 - b.** A divided entrance shall only count once.
- B. Connectivity in Design Districts**
 - 1.** Connectivity shall be defined as the continuation of the traditional grid pattern established by the existing road network and creation of new blocks according to paragraph 13.4.2, Block Standards.
 - 2.** Rights-of-way shall intersect at right angles, unless otherwise allowed pursuant to design standards maintained by the City Transportation Director, or NCDOT, as applicable.

13.6.2 Required Ratio

- A. Street Network**
 - 1.** The street network for any subdivision with internal roads or access to any public road shall achieve a minimum connectivity ratio of 1.40 in all tiers except the Rural and Downtown Tiers, measured within the subdivision.
 - 2.** Within the Rural Tier, the street network for any subdivision with internal roads or access to any public road shall achieve a minimum connectivity ratio of 1.15, measured within the subdivision.
- B.** Street links and nodes along a collector or arterial street providing access to a proposed subdivision shall not be considered in computing the connectivity ratio.
- C.** Stub-outs that cannot be constructed pursuant to paragraph 12.3.1F, Stub Outs, shall be considered as being present as a link at the ratio of one link per side as provided in

paragraph 12.3.1F, Stub Outs, for purposes of determining if the required ratio has been met.



Sec. 13.7 On-Site Wastewater Disposal Standards

For any subdivision proposing to use on-site wastewater disposal, the minimum lot size shall be one acre.

Sec. 13.8 Ownership Alternatives

- 13.8.1** Subdivisions shall not receive final plat approval until the applicant furnishes an attorney's certification that proper legal provisions have been made for the following, as applicable:
- A.** Establishment of property owners association;
 - B.** Declaration of covenants and restrictions for common areas;
 - C.** Declaration of unit-ownership development; and
 - D.** Provisions for perpetual ownership and maintenance of commonly-owned streets, utilities, other improvements, and lands.
- 13.8.2** All final plats containing private streets and roads shall contain a note requiring a disclosure statement to be furnished to all subsequent purchasers of property shown on the plat.

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